

CITY OF HOLLISTER - AGENDA

for **City Council Meeting**

of **February 21, 2006** at **6:30 p.m.** in the City Council Chambers, City Hall, 375 Fifth Street, Hollister

NOTICE TO PUBLIC

AMENDED AGENDA

Persons who wish to address the City Council must complete a Speakers Card and give it to the Clerk prior to addressing the City Council. Those who wish to address the City Council on an agenda item will be heard when the presiding officer calls for comments from the audience. City related items not on the agenda will be heard under the Public Input section, Section B, of the agenda. Following recognition persons desiring to speak are requested to advance to the podium and state their name and address. After hearing audience comments, the public portion of the meeting will be closed and the matter brought to the City Council for discussion and action.

Requests to make presentations to the City Council should be submitted to the City Clerk's Office at least ten days preceding the City Council meeting. It is customary for the staff members to review such matters prior to formal presentation in order that the City Council may have the benefit of all available data.

All matters listed under Consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a staff member, or a citizen.

**** 6:00 p.m. - Closed Session -- See Attached Agenda.**

Call to Order

Pledge of Allegiance

Roll Call: Mayor Robert Scattini, City Council Members Doug Emerson, Pauline Valdivia, Brad Pike, and Monica Johnson, City Manager Clint Quilter, City Attorney Elaine Cass, and City Clerk Geri Johnson.

Verification of Agenda Posting

PROCLAMATION: February 28, 2006, Spay Day USA in the City of Hollister.

6:00 p.m. - CLOSED SESSION AGENDA:

- A. Public comment (limited to any item listed on Closed Session agenda).
- B. A Closed Session will be held by the City Council of the City of Hollister to discuss all or some of the following matters:

1. Conference with Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation pursuant to Government Code Section 54956.9(b) - (3 potential cases will be discussed).
2. Conference with Legal Counsel - Anticipated Litigation - Initiation of Litigation pursuant to Government Code Section 54956.9(c) - (2 potential cases will be discussed).
3. Conference with Legal Counsel - Pending Litigation - Pursuant to Government Code Section 54956.9(a) –
 - a. RWQCB – Cease and Desist Order No. R3-2002-0105
 - b. City of Hollister v. Monterey Insurance Company, California Capital Insurance Company, Case Number M65916
 - c. Nicholson v. Hollister, Case No. CU-04-00063
4. Conference with Labor Negotiator pursuant to Government Code Section 54957.6:

Agency Negotiator: Clint Quilter

Employee Organizations: Service Employees International Union, Local 817; Hollister Firefighters Union – Local 3395; Hollister Peace Officers Association, Hollister Mid-Management Association; and un-represented employees in classifications designated as Executive Management and Confidential.

6:30 p.m. - AGENDA

A. CONSENT RESOLUTION (February 21, 2006):

All items listed under consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a Staff member, or a Citizen.

Consent Items are Numbers A1, A2, A3, A4, A5 and A6.

- A1. Minutes of the Special City Council Meeting of January 30, 2006 and Regular Meeting of February 6, 2006.

Approve Minutes of the Special City Council Meeting of January 30, 2006 and Regular Meeting of February 6, 2006, as submitted.

A2. Warrant Register(s).

The City Council will ratify and approve the following Warrant Register(s) for the General-Special-Enterprise-Assessment Funds dated:

- January 26, 2006, in the amount of \$ 333,175.58.
- February 3, 2006, in the amount of \$ 378,054.91.

A3. Annual review of Conflict of Interest Code.

The City Council will review and amend the Conflict of Interest Code Resolution as necessary.

A4. Resolution No. 2006-20, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ADOPTING SUPPLEMENTAL APPROPRIATION OF FUND 250 FOR TRAFFIC CONGESTION RELIEF PROJECTS FOR THE 2005-2006 FISCAL YEAR.

This resolution will approve a supplemental appropriation of funds for traffic congestion relief projects.

A5. Resolution No. 2006-21, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING EXECUTION OF AGREEMENT WITH LIEBERT, CASSIDY & WHITMORE for employment relations training and consultation services.

This Resolution will authorize execution of an agreement with Liebert, Cassidy & Whitmore through the Monterey Bay Area Employment Relations Consortium for the calendar year 2006.

A6. Review Water Resource Association of San Benito County Bylaws Regarding Date of Annual Business Meeting.

The City Council will approve changing the Water Resource Association of San Benito County bylaws to modify the date of the annual business meeting to February.

B. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS:

1. PUBLIC INPUT.

This is the time for anyone in the audience to speak on any item not on the agenda and within the subject matter jurisdiction of the council. When the City Clerk calls your name, please come to the podium, state your name and address for the record, and speak to the Council. Each speaker will be limited to two (2) minutes. Please note that state law prohibits the council from discussing or taking action on any item not on the agenda.

C. PUBLIC HEARINGS (On or After 6:30 p.m.)

None.

D. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:

1. Resolution No. 2006-22, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICE MASTER CONTRACT WITH ANALYTICAL ENVIRONMENTAL SERVICES.

This Resolution will approve amendment #2 to the Professional Services Contract with analytical Environmental Services for the environmental report required for the Long Term Wastewater Management Project.

E. REPORTS OF CITY COUNCIL, OFFICERS, BOARDS, AND COMMITTEES:

1. Reports from City Council Committees.

Receive oral reports from members regarding the activities of various Ad hoc and Standing City Council Committees.

2. Reports from City Council, City Manager, City Attorney, and Staff.

Receive oral reports from the City Council, City Manager Quilter, City Attorney Cass, City Clerk Johnson, and other Staff as applicable.

3. Water and Wastewater Issues.

The City Council will receive an oral status report from City Manager Quilter.

4. Hollister Municipal Airport status report.

The City Council will receive a status report on the Hollister Municipal Airport from Airport Manager Gere.

5. Report on Roadway Rehabilitation Project.

The City Council will receive an oral report from City Manager Quilter.

6. Report on Industrial Sewer Separation Project.

The City Council will receive an oral report from City Manager Quilter.

F. UNFINISHED BUSINESS:

1. Resolution No. 2006-23, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER RESCINDING THE HOLLISTER AIRPORT ADVISORY COMMISSION. (Continued from the February 6, 2006 meeting.)

This Resolution will dissolve the Hollister Airport Advisory Commission.

G. NEW BUSINESS:

1. Vacancy in the elective office of City Treasurer.

This item concerns City Council alternatives to filling the vacancy in the elective office of City Treasurer.

2. Resolution No. 2006-24, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROPRIATING FUNDS AND AUTHORIZING THE PAYMENT OF \$3,000,000 OF TRAFFIC IMPACT FEES TO THE SAN BENITO COUNTY MEASURE A AUTHORITY FOR PROPERTY ACQUISITION RELATED TO THE HIGHWAY 25 BYPASS PROJECT.

This Resolution will authorize the payment of \$3,000,000 of Traffic Impact Funds to the San Benito County Measure A Authority for expenses related to property acquisition for the Highway 25 bypass.

H. MISCELLANEOUS:

None.

ADJOURNMENT:

Next Regular City Council Meeting is scheduled for March 6, 2006, at 6:30 p.m.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (831) 636-4304. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].